

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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EFRAIN RESCALVO VAZQUEZ, on :
behalf of himself and all other persons
similarly situated, :

Plaintiff, :

-against- :

ORDER

WALLY'S DELI & GROCERY CORP. : 19-CV-6797 (RA) (KNF)
AND DERHIM NASSER, :

Defendants. :

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KEVIN NATHANIEL FOX
UNITED STATES MAGISTRATE JUDGE

On August 28, 2020, the plaintiff's motion for judgment by default was granted and the matter referred to the undersigned for an inquest on damages. See Docket Entry No. 32.

Accordingly, IT IS HEREBY ORDERED that:

- (1) on or before September 22, 2020, the plaintiff shall file his proposed findings of fact and conclusions of law, accompanied by supporting affidavits and exhibits, setting forth proof of his damages, including an affidavit explaining any spreadsheets containing damages calculations and the steps taken to calculate damages;
- (2) on or before September 22, 2020, the plaintiff shall serve the inquest submissions he files with the court, by personal in-hand tender of process by a process server on the individual defaulting defendant and personal service upon the defaulting corporate defendant, as provided by New York law governing personal service upon a corporation, and file proof of service, as required by Fed. R. Civ. P. 4(l);
- (3) on or before October 6, 2020, the defendants shall serve and file any opposition to the plaintiff's submissions, supported by affidavits and exhibits; and

(4) the plaintiff shall serve a copy of this order by personal in-hand tender of process by a process server on the individual defaulting defendant and personal service upon the defaulting corporate defendant, as provided by New York law governing personal service upon a corporation, and file proof of service, as required by Fed. R. Civ. P. 4(l).

Dated: New York, New York
September 8, 2020

SO ORDERED:



KEVIN NATHANIEL FOX
UNITED STATES MAGISTRATE JUDGE